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5 Attorneys for Plaintiff

6 **MIZUHO Orthopedic Systems, Inc.**

7 Attorneys for MIZUHO Orthopedic Systems, Inc.

8  
9 **UNITED STATES DISTRICT COURT**  
10 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
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13 MIZUHO ORTHOPEDIC SYSTEMS, INC.,  
a Delaware corporation,  
14 **Plaintiff,**  
15 v.

Civil Action No. 3:13-cv-01587-MMC

16 MAQUET CARDIOVASCULAR, LLC, a  
Delaware Limited Liability Company,  
17 MAQUET CARDIOVASCULAR US  
SALES, LLC, a Delaware Limited Liability  
18 Company, and MAQUET, INC., a  
19 Delaware Corporation d/b/a as MAQUET  
MEDICAL SYSTEMS USA,  
20 **Defendants.**  
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**STIPULATION OF DISMISSAL**  
**WITH PREJUDICE and**  
**[PROPOSED] ORDER**

22  
23 **IT IS HEREBY STIPULATED AND AGREED**, by and among the undersigned  
24 attorneys for the respective parties, pursuant to Rule 41 of the Federal Rules of Civil  
25 Procedure, that the above-captioned action be, and hereby is, dismissed with prejudice. Each  
26 Party shall bear its own costs.  
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1 Dated: May 12, 2014.

2 BIELEN, LAMPE & THOEMING

3 /s/ Charles L. Thoeming

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/s/ David A. Loewenstein

David A. Loewenstein

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***Attorneys for Defendants***

***Maquet Cardiovascular LLC, Maquet***

***Cardiovascular US Sales LLC, and***

***Maquet, Inc.***

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17 **CONCURRENCE IN FILING**

18 I, Charles L. Thoeming, am the ECF User whose identification and password are being  
19 used to file this Stipulation of Dismissal with Prejudice and [Proposed] Order. In compliance  
20 with General Order 45.X.B., I hereby attest that David A. Loewenstein, counsel for defendants,  
21 has concurred in this filing.

22 Dated: May 12, 2014

/s/ Charles L. Thoeming

Charles L. Thoeming

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24  
25 **SO ORDERED:**

26 **Dated:** May 12, 2014.

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Hon. Maxine M. Chesney

United States District Court Judge